

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No.: 10/565,346 Art Unit: 1616

Filed: January 20, 2006 Examiner: Mina Haghighatian

For: *TOPICAL AEROSOL FOAMS*

Commissioner for Patents
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INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. § 1.56 and 37 C.F.R. § 1.97, Applicants submit an Information Disclosure Statement, including (2) pages of Form PTO-1449 and copies of seven (7) documents cited therein. Pursuant to the waiver in the notice entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications Filed After June 30, 2003" published on August 5, 2003 in 1273 OG 55, copies of U.S. Patents and Published Applications are not enclosed. Copies will be provided upon request, however.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) prior to a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 50-1329.

U.S. Patents

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
4,808,388	02-28-1989	Beutler, et al.	424/47
6,126,920	10-03-2000	Jones, et al.	424/45
6,905,675	06-14-2005	Shacknai, et al.	424/070.100

U.S. Patent Applications

<u>Number</u>	<u>Application Date</u>	<u>Applicant</u>	<u>Class/Subclass</u>
2004/0204492	10-14-2004	Shroot, et al.	514/602
2005/0042182	02-24-2005	Arkin, et al.	424/47
2005/0036950	02-17-2005	Jones, et al.	424/45

Foreign Documents

<u>Number</u>	<u>Publication Date</u>	<u>Patentee</u>	<u>Country</u>
1 468 678	10-20-2004	Aeropharm GMBH	EP
WO 85/01876	05-09-1985	Lockley Services PTY, Ltd.	PCT
WO 96/03115	02-08-1996	Slagel, David	PCT
WO 04/037225	05-06-2004	Foamix, Ltd	PCT
WO 05/016329	02-24-2005	Agis Ind	PCT

Publications

PURDON, et al., "Foam Drug Delivery in Dermatology: Beyond the Scalp Foam Drug Delivery in Dermatology: Beyond the Scalp", *American Journal of Drug Delivery*, 1(1):71-75 (2003).

DALZIEL AND CREAZZO, "Pharmaceutical Aerosols", *Spray Technology and Marketing* 6:19-24 (2003).

Remarks

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,

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Dated: October 5, 2007

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